



STATE OF WISCONSIN

Senate Journal

Ninety–Fifth Regular Session

10:00 A.M.

TUESDAY, June 19, 2001

The Senate met.

The Senate was called to order by Senator Fred Risser.

LEAVES OF ABSENCE

Senator Panzer, with unanimous consent, asked that Senator A. Lasee be granted a leave of absence for today's session.

The roll was called and the following Senators answered to their names:

Senators Baumgart, Breske, Burke, Chvala, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, George, Grobschmidt, Hansen, Harsdorf, Huelsman, Jauch, Lazich, M. Meyer, Moen, Moore, Panzer, Plache, Risser, Robson, Roessler, Rosenzweig, Schultz, Shibilski, Welch, Wirch and Zien – 31.

Absent – None.

Absent with leave – Senators A. Lasee – 1.

The Senate stood for a moment silent meditation, with special thoughts to the victims of the devastating storms in North Western Wisconsin.

The Senate remained standing and Senator Harsdorf led the Senate in the pledge of allegiance to the flag of the United States of America.

INTRODUCTION AND REFERENCE OF RESOLUTIONS AND JOINT RESOLUTIONS

Read and referred:

Senate Joint Resolution 38

Relating to: honoring and commending the devoted public service of John T. Benson.

By Senators Grobschmidt, Schultz, Chvala, Erpenbach, Breske, Robson, Plache, Shibilski, Burke, Jauch, Moen, A. Lasee, Rosenzweig, Roessler, Hansen, George, Darling, Lazich, Risser, Decker and Harsdorf; cosponsored by Representatives Hahn, Schneider, Hebl, Gronemus, Sinicki, Kestell, Musser, J. Lehman, Bock, Wasserman, Montgomery, Coggs, Boyle, Olsen, Pohan, Sykora, Wade, Lippert, Nass, Ryba, Berceau, Freese, Ladwig, Turner, Miller, Meyerhofer, Albers, Plale, Krawczyk, Jeskewitz, Travis, Plouff, Ott, Huber, Lassa, Hundertmark, Owens and Gunderson.

To committee on **Education**.

PETITIONS AND COMMUNICATIONS

State of Wisconsin Ethics Board

Jun 19, 2001

The Honorable, The Senate:

The following lobbyists have been authorized to act on behalf of the organizations set opposite their names.

For more detailed information about these lobbyists and organizations and a complete list of organizations and people authorized to lobby the 2001 session of the legislature, visit the Ethics Board's web site at <http://ethics.state.wi.us/>

Broydrick, William **Abbott Laboratories**

Early, Jessica **Wisconsin Veterinary Medical Association**

Fitzgerald, Moira E **Ameritech (Wis Bell Inc)**

Kammer, Peter **Abbott Laboratories**

McClenahan, William **Wisconsin Veterinary Medical Association**

McCoshen, William J **Coalition for Responsible Dental Access Reform**

Petersen, Eric J **Coalition for Responsible Dental Access Reform**

Also available from the Wisconsin Ethics Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by organizations that employ lobbyists.

Sincerely,

ROTH JUDD

Director

ADVICE AND CONSENT OF THE SENATE

REID, L. ANNE, of West Bend, as a member of the Wisconsin Technical College System Board, to serve for the term ending May 1, 2007.

Senator Chvala, with unanimous consent, asked that the appointment of Anne L. Reid be withdrawn from committee on **Universities, Housing, and Government Operations and referred to committee on Education**.

BLASK, DANIEL P., of Pewaukee, as a member of the Wisconsin Health and Educational Facilities Authority, to serve for the term ending June 30, 2008.

Senator Chvala, with unanimous consent, asked that the appointment of Daniel P. Blask be withdrawn from committee on **Universities, Housing, and Government Operations and referred to committee on Health, Utilities, Veterans and Military Affairs**.

**REFERRALS AND RECEIPT OF
COMMITTEE REPORTS CONCERNING
PROPOSED ADMINISTRATIVE RULES**

Senate Clearinghouse Rule 00-187

Relating to practice and procedure before the commission.
Submitted by Public Service Commission.

Report received from Agency, June 15, 2001.

Referred to committee on **Health, Utilities, Veterans and
Military Affairs**, June 19, 2001.

Senate Clearinghouse Rule 01-043

Relating to the licensure and regulation of speech-language
pathologists, audiologists, temporary licensees and supervision
of unlicensed individuals.

Submitted by Department of Regulation and Licensing.

Report received from Agency, June 15, 2001.

Referred to committee on **Health, Utilities, Veterans and
Military Affairs**, June 19, 2001.

The committee on **Universities, Housing, and
Government Operations** reports and recommends:

Senate Clearinghouse Rule 00-149

Relating to fees required of agent cities and counties that
license and inspect retail food establishments.

No action taken.

Mark Meyer
Chairperson

Senator Chvala, with unanimous consent, asked that the
Senate recess until 4:16 P.M..

10:29 A.M.

RECESS

4:16 P.M.

The Senate reconvened.

Senator Risser in the chair.

SPECIAL ORDER

Senate Bill 55

Relating to: state finances and appropriations, constituting
the executive budget act of the 2001 legislature.

Read a second time.

Senator Chvala, with unanimous consent, asked that the
Senate recess until 9:44 P.M.

5:04 P.M.

RECESS

9:44 P.M.

The Senate reconvened.

Senator Risser in the chair.

Senate amendment 1 to Senate substitute amendment 1 to
Senate Bill 55 offered by Senators Cowles, Lazich, Ellis,
Schultz, Darling, S. Fitzgerald, Harsdorf, Huelsman, Panzer,
Roessler, Rosenzweig, Welch and Zien.

Senator Chvala moved that Senate amendment 1 to Senate
substitute amendment 1 to **Senate Bill 55** be laid on the table.

The question was: Shall Senate amendment 1 to Senate
substitute amendment 1 to **Senate Bill 55** be laid on the table?

The ayes and noes were demanded and the vote was: ayes,
18; noes, 13; absent or not voting, 1; as follows:

Ayes – Senators Baumgart, Breske, Burke, Chvala, Decker,
Erpenbach, George, Grobschmidt, Hansen, Jauch, M. Meyer,
Moen, Moore, Plache, Risser, Robson, Shibilski and Wirch –
18.

Noes – Senators Cowles, Darling, Ellis, S. Fitzgerald,
Harsdorf, Huelsman, Lazich, Panzer, Roessler, Rosenzweig,
Schultz, Welch and Zien – 13.

Absent or not voting – Senator A. Lasee – 1.

Tabled.

Senate amendment 2 to Senate substitute amendment 1 to
Senate Bill 55 offered by Senators Chvala, Risser, Moen and
Burke.

Senate amendment 1 to Senate amendment 2 to Senate
substitute amendment 1 to **Senate Bill 55** offered by Senators
Darling, Welch, Cowles, Lazich, Ellis, Schultz, S. Fitzgerald,
Harsdorf, Huelsman, Panzer, Roessler, Rosenzweig and Zien.

Senator Chvala moved that Senate amendment 1 to Senate
amendment 2 to Senate substitute amendment 1 to **Senate Bill
55** be laid on the table.

The question was: Shall Senate amendment 1 to Senate
amendment 2 to Senate substitute amendment 1 to **Senate Bill
55** be laid on the table?

The ayes and noes were demanded and the vote was: ayes,
18; noes, 13; absent or not voting, 1; as follows:

Ayes – Senators Baumgart, Breske, Burke, Chvala, Decker,
Erpenbach, George, Grobschmidt, Hansen, Jauch, M. Meyer,
Moen, Moore, Plache, Risser, Robson, Shibilski and Wirch –
18.

Noes – Senators Cowles, Darling, Ellis, S. Fitzgerald,
Harsdorf, Huelsman, Lazich, Panzer, Roessler, Rosenzweig,
Schultz, Welch and Zien – 13.

Absent or not voting – Senator A. Lasee – 1.

Tabled.

Senate amendment 2 to Senate amendment 2 to Senate
substitute amendment 1 to **Senate Bill 55** offered by Senator
Zien.

Senator Chvala, with unanimous consent, asked that Senate
amendment 2 to Senate amendment 2 to Senate substitute
amendment 1 to **Senate Bill 55** be laid on the table.

Tabled

The question was: Adoption of Senate amendment 2 to
Senate substitute amendment 1 to **Senate Bill 55**?

The ayes and noes were demanded and the vote was: ayes,
19; noes, 12; absent or not voting, 1; as follows:

Ayes – Senators Baumgart, Breske, Burke, Chvala, Decker,
Erpenbach, S. Fitzgerald, George, Grobschmidt, Hansen,
Jauch, M. Meyer, Moen, Moore, Plache, Risser, Robson,
Shibilski and Wirch – 19.

Noes – Senators Cowles, Darling, Ellis, Harsdorf,
Huelsman, Lazich, Panzer, Roessler, Rosenzweig, Schultz,
Welch and Zien – 12.

Absent or not voting – Senator A. Lasee – 1.

Adopted.

The question was: Adoption of Senate substitute
amendment 1 to **Senate Bill 55**?

The ayes and noes were demanded and the vote was: ayes,
18; noes, 13; absent or not voting, 1; as follows:

Ayes – Senators Baumgart, Breske, Burke, Chvala, Decker, Erpenbach, George, Grobschmidt, Hansen, Jauch, M. Meyer, Moen, Moore, Plache, Risser, Robson, Shibilski and Wirch – 18.

Noes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Harsdorf, Huelsman, Lazich, Panzer, Roessler, Rosenzweig, Schultz, Welch and Zien – 13.

Absent or not voting – Senator A. Lasee – 1.

Adopted.

Senator Fitzgerald, with unanimous consent, asked that the journal he would have wished to be recorded as voting no on the adoption of Senate substitute amendment 1 to **Senate Bill 5**.

The question was: Shall **Senate Bill 55** be ordered to be read a third time?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 13; absent or not voting, 1; as follows:

Ayes – Senators Baumgart, Breske, Burke, Chvala, Decker, Erpenbach, George, Grobschmidt, Hansen, Jauch, M. Meyer, Moen, Moore, Plache, Risser, Robson, Shibilski and Wirch – 18.

Noes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Harsdorf, Huelsman, Lazich, Panzer, Roessler, Rosenzweig, Schultz, Welch and Zien – 13.

Absent or not voting – Senator A. Lasee – 1.

Ordered to a third reading.

Senator Burke, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 55

Read a third time.

The ayes and noes were required and the vote was: ayes, 18; noes, 13; absent or not voting, 1; as follows:

Ayes – Senators Baumgart, Breske, Burke, Chvala, Decker, Erpenbach, George, Grobschmidt, Hansen, Jauch, M. Meyer, Moen, Moore, Plache, Risser, Robson, Shibilski and Wirch – 18.

Noes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Harsdorf, Huelsman, Lazich, Panzer, Roessler, Rosenzweig, Schultz, Welch and Zien – 13.

Absent or not voting – Senator A. Lasee – 1.

Passed.

CONSIDERATION OF MOTIONS AND RESOLUTIONS

Assembly Bill 100

Relating to: financial assistance for an air carrier that operates from a hub facility, creating an airport financing committee, granting rule-making authority, and making appropriations.

The question was: Shall **Assembly Bill 100** be withdrawn from the **Joint Survey committee on Tax Exemptions**?

POINT OF ORDER

Senator Chvala raised the point of order that the motion before us may not be considered at this time because section [13.52\(6\)](#) of the statutes prohibits further consideration of any proposal until such time as the Joint Survey committee on Tax Exemptions has submitted its report on the proposal.

The Chair took the point of order under advisement.

SECOND READING AND AMENDMENTS OF SENATE JOINT RESOLUTIONS AND SENATE BILLS

Senate Bill 138

Relating to: the publication of notices relating to the creation of tax incremental financing districts.

Read a second time.

Ordered to a third reading.

Senator Chvala, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 138

Read a third time and passed.

Senate Bill 144

Relating to: state purchase of a Justice Center building and granting bonding authority.

Read a second time.

Ordered to a third reading.

Senator Chvala, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 144

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 1; absent or not voting, 1; as follows:

Ayes – Senators Baumgart, Breske, Burke, Chvala, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, George, Grobschmidt, Hansen, Harsdorf, Huelsman, Jauch, M. Meyer, Moen, Moore, Panzer, Plache, Risser, Robson, Roessler, Rosenzweig, Schultz, Shibilski, Welch, Wirch and Zien – 30.

Noes – Senator Lazich – 1.

Absent or not voting – Senator A. Lasee – 1.

Passed.

SECOND READING AND AMENDMENTS OF ASSEMBLY JOINT RESOLUTIONS AND ASSEMBLY BILLS

Assembly Bill 274

Relating to: supplemental medical assistance payments to reduce operating deficits of county, city, village, or town nursing homes and creating a medical assistance trust fund.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Assembly Bill 274**?

Adopted.

Senator Moen moved that Senate amendment 2 to **Assembly Bill 274** be laid on the table.

The question was: Shall Senate amendment 2 to **Assembly Bill 274** be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 24; noes, 6; absent or not voting, 2; as follows:

Ayes – Senators Baumgart, Breske, Burke, Chvala, Decker, Erpenbach, S. Fitzgerald, George, Grobschmidt, Hansen, Huelsman, Jauch, M. Meyer, Moen, Moore, Panzer, Plache, Risser, Robson, Roessler, Rosenzweig, Shibilski, Wirch and Zien – 24.

Noes – Senators Cowles, Darling, Harsdorf, Lazich, Schultz and Welch – 6.

Absent or not voting – Senators Ellis and A. Lasee – 2.

Tabled.

Ordered to a third reading.

Senator Chvala, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 274

Read a third time and concurred in as amended.

**ANNOUNCEMENTS, ADJOURNMENT
HONORS, AND REMARKS UNDER
SPECIAL PRIVILEGE**

Senator Chvala, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Senator Alan Lasee and wish him a speedy recovery.

Senator Chvala, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Georgia Schneider and wish her a full and speedy recovery.

Senator Chvala, with unanimous consent, asked that action be immediately messaged to the Assembly.

Senator Moore, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Juneteenth day.

Senator Hansen, with unanimous consent, asked that when the Senate adjourn, it do so in honor of his father who passed away a short time ago.

ADJOURNMENT

Senator Chvala, with unanimous consent, asked that the Senate adjourn until Thursday, June 21 at 10:00 A.M..

Adjourned.

1:17 A.M.